

111TH CONGRESS
2D SESSION

H. R. 4748

IN THE SENATE OF THE UNITED STATES

JULY 28, 2010

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Northern Border
3 Counternarcotics Strategy Act of 2010”.

4 **SEC. 2. NORTHERN BORDER COUNTERNARCOTICS STRAT-**
5 **EGY.**

6 The Office of National Drug Control Policy Reau-
7 thorization Act of 2006 (Public Law 109–469) is amended
8 by inserting after section 1110 the following new section:

9 **“SEC. 1110A. REQUIREMENT FOR NORTHERN BORDER**
10 **COUNTERNARCOTICS STRATEGY.**

11 “(a) IN GENERAL.—Not later than 120 days after
12 the date of the enactment of this section, and every two
13 years thereafter, the Director of National Drug Control
14 Policy shall submit to Congress a Northern Border Coun-
15 ternarcotics Strategy.

16 “(b) PURPOSES.—The Northern Border Counter-
17 narcotics Strategy shall—

18 “(1) set forth the Government’s strategy for
19 preventing the illegal trafficking of drugs across the
20 international border between the United States and
21 Canada, including through ports of entry and be-
22 tween ports of entry on that border;

23 “(2) state the specific roles and responsibilities
24 of the Department of Justice, the Department of
25 Homeland Security (including the Office of Counter-
26 narcotics Enforcement), and other relevant National

1 Drug Control Program agencies (as defined in sec-
2 tion 702 of the Office of National Drug Control Pol-
3 icy Reauthorization Act of 1998 (21 U.S.C. 1701))
4 for implementing that strategy; and

5 “(3) identify the specific resources required to
6 enable the agencies described in paragraph (2) to
7 implement that strategy.

8 “(c) SPECIFIC CONTENT RELATED TO CROSS-BOR-
9 DER INDIAN RESERVATIONS.—The Northern Border
10 Counternarcotics Strategy shall include—

11 “(1) a strategy to end the illegal trafficking of
12 drugs through Indian reservations on or near the
13 international border between the United States and
14 Canada; and

15 “(2) recommendations for additional assistance
16 to tribal law enforcement agencies with respect to
17 such strategy.

18 “(d) CONSULTATION REQUIRED.—The Director shall
19 issue the Northern Border Counternarcotics Strategy in
20 consultation with the Attorney General, the Secretary of
21 Homeland Security, and the heads of other relevant Na-
22 tional Drug Control Program agencies, and, with respect
23 to subsection (c), the leaders of the affected Indian tribes.

24 “(e) LIMITATION.—The Northern Border Counter-
25 narcotics Strategy shall not change existing agency au-

1 thorities or the laws governing interagency relationships,
2 but may include recommendations about changes to such
3 authorities or laws.

4 “(f) REPORT TO CONGRESS.—The Director shall pro-
5 vide a copy of the Northern Border Counternarcotics
6 Strategy to the appropriate congressional committees (as
7 defined in section 702 of the Office of National Drug Con-
8 trol Policy Reauthorization Act of 1998 (21 U.S.C.
9 1701)), and to the Committee on Homeland Security of
10 the House of Representatives, and the Committee on
11 Homeland Security and Governmental Affairs of the Sen-
12 ate.

13 “(g) TREATMENT OF CLASSIFIED OR LAW ENFORCE-
14 MENT SENSITIVE INFORMATION.—Any content of the
15 Northern Border Counternarcotics Strategy that involves
16 information classified under criteria established by an Ex-
17 ecutive order, or whose public disclosure, as determined
18 by the Director or the head of any relevant National Drug
19 Control Program agency, would be detrimental to the law
20 enforcement or national security activities of any Federal,

- 1 State, local, or tribal agency, shall be presented to Con-
- 2 gress separately from the rest of the Strategy.”.

Passed the House of Representatives July 27, 2010.

Attest: LORRAINE C. MILLER,
Clerk.